REMARKS/ARGUMENTS

This is responsive to the final Office Action issued August 3, 2004. A Request for Continued Examination is enclosed.

All of the pending claims were rejected as being anticipated by Saida. Claims 1 and 15 are being amended to distinguish over Saida. In addition, new claims 35-64 are presented. Independent claim 35 is related but not identical to claim 1 while independent claim 47 is related but not identical to independent claim 15. The new dependent claims are respectively identical to the dependent claims previously presented.

As amended, the claimed invention is now patentably distinguishable from Saida. The Examiner took the position that the "torsional region" and other features recited in claims 1 and 15 were readable on Saida. His position was that one of the two short portions at the top of the "M" shape of the contact 3 in Saida was readable on the "torsional region." In the Examiner's analysis, the element 31 and element 33 corresponded to the battery terminal contact region and restraining leg in claims 1 and 15.

In response, claims 1 and 15 have been amended to recite "a single torsional region ..." and "a battery terminal contact region extending from the torsional region only at said first end of said of torsional region and having a distal free end disposed away from said first end of said torsional region ...."

At least in these respects invention of claims 1 and 15 is distinguishable from Saida. According to the Examiner's analysis, Saida contains two torsional regions, not a "single" torsional region as now claimed. In particular, the Examiner stated in the final Office Action that "the instant claims do not contain language precluding the presence of two distinct torsional regions, which are connected by a single terminal contact region, as is the case in the Saida reference."

Further, if the element 31 corresponds to the battery terminal contact region, then Saida's disclosure does not have a distal free end disposed away from the torsional region as now claimed.

In response to the Examiner's analysis, claims 1 and 15 now recite a single torsional region and a battery terminal contact region having a distal free end and thus is patentably distinguishable from the Saida structure as interpreted by the Examiner.

At least in the foregoing respects, the invention as now claimed in claims 1 and 15 and their dependent claims is not anticipated by the Saida reference.

Referring now to the new claims 35-64, these claims correspond generally to claims 1 and 15 with several differences. A single torsional region is not required by independent claims 35 and 47. These claims recite the presence of a distal free end of the battery terminal contact region disposed away from the torsional region. For the reasons already discussed, this feature is not present in Saida.

Further, these claims recite "the battery terminal contact region extending from said torsional region being disposed in a manner that said entire battery terminal contact region is torsionally rotatable relative to said restraining leg about the axis ...." In Saida, the entire battery terminal contact region is not torsionally rotatable. Saida's Figure 1 is merely an artificial exploded view and does not represent the structure taught by Saida. The teaching of Saida is that, as easily seen in Figures 2a and 2b, for example, the so-called intermediate portion 31 is substantially physically restrained by the end wall of the chamber 21 formed in the upper case 2, at the first recess 22, which encloses and mounts the intermediate portion 31 of the terminal 3. Furthermore, the terminal 3 is also physically restrained by the projection 23, also formed in the first recess 22 of the end wall of the chamber 21 formed in the upper case 2. Note the explicit teaching in Saida at column 3, lines 26-29 which recites that "When the intermediate portion 31 abuts against or rests on the top of the projection 23, the terminal 3 is locked in position and held by the case 2."

Thus it is seen that Saida neither discloses nor suggests "said battery terminal contact region ... being disposed in a manner said entire battery terminal contact region is torsionally rotatable ...." Claims 35 and 47 and their dependent claims 36-46 and 48-64 are therefore patentably distinguishable from Saida as well.

In view of the foregoing amendments and remarks, allowance of claims 1-11, 14-27, 29-32 and 34-64 is requested.

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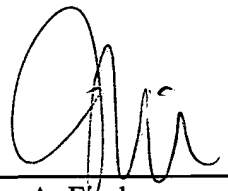
October 28, 2004

Date of Signature

JAF:msd

Respectfully submitted,



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